

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Northern District of New York

UNITED STATES OF AMERICA)

v.)

DANIEL RAMIREZ-FLORES)

Case No. 5:25-MJ-63 (ML)

Defendant)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about the date of March 6, 2025 in the county of Oneida in the Northern District of New York the defendant violated:

Code Section

Title 8, U.S.C., Section 1326(a).

Offense Description

Illegal Re-entry.

This criminal complaint is based on these facts:
See Attached Affidavit.

☒ Continued on the attached sheet.

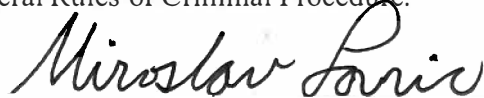

Complainant's signature

Michael G. Donnell, ICE Deportation Officer

Printed name and title

Attested to by the affiant in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.

Date: March 11, 2025


Judge's signature

City and State: Binghamton, NY

Hon. Miroslav Lovric, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Michael Donnell, having been first duly sworn, hereby depose and state as follows:

INTRODUCTION

1. I am a Deportation Officer employed by the U.S. Department of Homeland Security (“DHS”), Immigration and Customs Enforcement (“ICE”). I have been so employed since February 2022. I investigate violations of the immigration and nationality laws of the United States, which primarily are found in Titles 8 and 18 of the United States Code. I have received training in the investigation of violations of the United States Code as it pertains to immigration law and other violations of the United States Code involving criminal matters.

2. This affidavit is made in support of an application for a criminal complaint charging Daniel RAMIREZ-FLORES with a violation of Title 8, United State Code, Section 1326(a) (illegal re-entry).

3. The statements contained in this affidavit are based upon my investigation of this matter, information provided by other law enforcement agents, and my experience and training as a Deportation Officer. Because this affidavit is being submitted for the limited purpose of securing a criminal complaint, I have not included every fact known to me concerning this investigation. Rather, I have set forth only those facts necessary to establish probable cause to believe that RAMIREZ-FLORES has violated Title 8, United States Code, Section 1326(a).

INVESTIGATION AND FACTUAL BASIS FOR THE COMPLAINT

4. On or about March 6, 2025, an anonymous tip was provided through the Utica Police Department (UPD) that Daniel RAMIREZ-FLORES was in the United States unlawfully and was residing in the Utica, New York area and had an active state level bench warrant for his arrest that had been issued by the City of Utica Court.

5. A review of ICE records and RAMIREZ-FLORES immigration records revealed that RAMIREZ-FLORES was not a citizen of the United States, was instead a citizen of Mexico, and had no legal right to be present in the United States. Records indicated that RAMIREZ-FLORES first encounter with ICE was in September of 2007 at the Baton Rouge, Louisiana Bus Station at which time U.S. Border Patrol (USBP) encountered him attempting to get a bus pass to Houston, Texas. RAMIREZ-FLORES was processed with a Notice to Appear before the Immigration Judge and was ultimately ordered removed from the United States in March of 2009.

6. On June 15, 2016, RAMIREZ-FLORES was removed from the United States through Atlanta, Georgia with an I-205 Warrant of Removal / Deportation. However, on July 29, 2017, RAMIREZ-FLORES was encountered by USBP near Calexico, California on foot attempting to enter the United States at a location other than a port of entry. RAMIREZ-FLORES was apprehended and processed under INA 241(a)(5) as a reinstatement of a final order. RAMIREZ-FLORES was deported through San Ysidro, California on July 30, 2017, with another I-205.

7. Based on the anonymous tip discussed above, on March 6, 2025, ICE agents conducted a surveillance operation at RAMIREZ-FLORES residence in Utica, New York. During the operation, agents observed RAMIREZ-FLORES at the front door to the residence. On March 6, 2025, agents arrested RAMIREZ-FLORES outside his residence. RAMIREZ-FLORES fingerprints were taken during the booking process and compared with fingerprint records from his 2009 and 2017 ICE and BP encounters and removals. Agents determined the fingerprints were a match to all encounters based on the Federal Bureau of Investigation (FBI) number and Federal Identification Number (FIN). The records indicated that RAMIREZ-FLORES is a citizen and

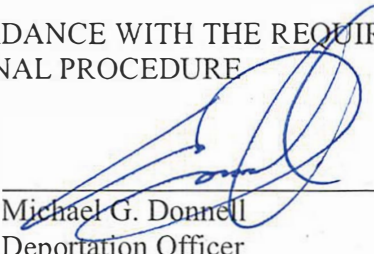
national of Mexico and his returned booking photos for all documented encounters were also a match.

8. Further review of RAMIREZ-FLORES immigration records revealed that RAMIREZ-FLORES has made no claim for legal status in the U.S. RAMIREZ-FLORES, has never been lawfully admitted to the U.S., and has not been given permission to reenter by the Attorney General or the Secretary of the Department of Homeland Security.

CONCLUSION


9. Based upon the foregoing information, I respectfully submit there is probable cause to believe the defendant, Daniel RAMIREZ-FLORES, has violated Title 8, United States Code, Section 1326(a), having improperly reentered and having been found in the United States subsequent to a prior order of removal, without having previously obtained permission to reenter from the necessary authorities. Your affiant requests that a criminal complaint be issued pursuant to this violation of federal law.

ATTESTED TO BY THE APPLICANT IN ACCORDANCE WITH THE REQUIREMENTS OF
RULE 4.1 OF THE FEDERAL RULES OF CRIMINAL PROCEDURE



Michael G. Donnell
Deportation Officer
Immigration and Customs Enforcement

I, the Honorable Miroslav Lovric, United States Magistrate Judge, hereby acknowledge that this affidavit was attested by the affiant by telephone on March 11, 2025, in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.



Hon. Miroslav Lovric
United States Magistrate Judge